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Attorneys for Plaintiff,
DONNA CORBELLO

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DONNA CORBELLO, an individual,
Plaintiff,

vs.

THOMAS GAETANO DEVITO, an individual,
et al.,
Defendants.

Case No. 2:08-cv-00867-RCJ-PAL

**PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO FILE
REPLY BRIEF REGARDING MOTION
FOR RECONSIDERATION**

(Fourth Request)

Plaintiff Donna Corbello, by her attorneys, and pursuant to LR 6-1 and 7-1, hereby moves the Court for entry of the attached *Order*, extending the deadline for Plaintiff's *Reply to New Defendants Memorandum in Opposition to Plaintiff's Motion for Reconsideration by the United States Magistrate Judge of Her Order Dated November 12, 2010* (Doc. 354) ("Defendants' Response"), and *New Defendants' Supplement to Memorandum in Opposition to*

1 *Plaintiff's Motion for Reconsideration* (Doc 355) ("Supplement"), to Monday, January 24, 2011.
2 Whereas Plaintiff's *Reply* is currently due on Thursday, January 20, 2011, the extension would
3 continue this deadline for two business days. This is Plaintiff's fourth request for an extension of
4 time.

5 Plaintiff submits that good cause exists for grant of the requested extension. *Defendants'*
6 *Response* is 30 pages, with 77 pages of exhibits, most of which comprise declarations. Plaintiff's
7 counsel have completed a 22-page responsive declaration, and assembled 40 exhibits, in order to
8 reply to this voluminous material, but this took longer than anticipated, and accordingly, the
9 drafting of the principal brief is not complete. Part of the complicating factor has been that, in
10 *Defendants' Response*, the New Defendants characterize and refer to various documents without
11 attaching them as exhibits for the Court's review. Whereas, these "off-record" documents have
12 been mischaracterized, and do not establish what Defendants allege, Plaintiff must make a record
13 of what they actually show. Additionally, *Defendants' Response* includes numerous assertions
14 of fact, which must be addressed with evidence in Plaintiff's *Reply*, and counsel have been
15 working without interruption to finish the brief, declaration, and assembly of the 40 exhibits.
16 Finally, as the Court is aware, two motions for leave to file documents under seal also had to be
17 prepared and filed (and have since been granted), because New Defendants have designated
18 practically all documents in this case as "confidential." In short, the process is simply taking
19 longer than anticipated, but not for lack of diligence.

20 The requested extension will not prejudice the New Defendants, because the oral
21 argument on this motion is not until February 10, 2011, and is not requested for any improper
22 purpose or delay.

23 IN VIEW OF THE ABOVE, Plaintiff respectfully requests entry of the attached *Order*,
24 indicating that she may file and serve her *Reply* brief re *Motion for Reconsideration* on or by
25 January 24, 2011.

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1 DATED: January 20, 2011.

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3 By: /s/Gregory H. Guillot
4 John L. Krieger (Nevada Bar No. 6023)
5 Gregory H. Guillot (*Admitted Pro Hac Vice*)
6 George L. Paul (*Admitted Pro Hac Vice*)
7 Robert H. McKirgan (*Admitted Pro Hac Vice*)

8 Attorneys for Plaintiff, Donna Corbello

9 IT IS SO ORDERED:

10 
11 UNITED STATES DISTRICT JUDGE

12 DATED: January 31, 2011
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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I, Gregory H. Guillot, certify that on this, the 20th day of January, 2011, I caused the document entitled PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF REGARDING MOTION FOR RECONSIDERATION (Fourth Request) to be served as follows:

[] by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or

[] Pursuant to Fed. R. Civ. P. 5(b)(2)(D), to be sent via facsimile;

[] to be hand-delivered; and/or

[X] by U.S. District Court ECF electronic transmission to the attorneys of record.

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